

CANNON BUILDING 861 SILVER LAKE BLVD., SUITE 203 DOVER, DELAWARE 19904-2467

STATE OF DELAWARE **DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE: BOARD OF PROFESSIONAL LAND SURVEYORS

DATE AND TIME: Thursday, February 18, 2010 at 8:30 a.m.

PLACE: 861 Silver Lake Boulevard, Dover, Delaware

Conference Room A, second floor of the Cannon Building

APPROVED: April 15, 2010

MEMBERS PRESENT

Michael T. Szymanski, Vice-Chair, Professional Member James Bielicki, Professional Member Joseph McDonough, Public Member Frank Szczuka, Public Member Mary Chvostal, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kay Warren, Deputy Director, Division of Professional Regulation David Mangler, Executive Director, Team A Renee' M. Holt, Administrative Specialist II Frederick Schranck, Deputy Attorney General

ABSENT MEMBERS

Stephen Sellers, Chair, Professional Member Laurence R. McBride, Professional Member

OTHERS PRESENT

Anne L. Swoyer – Wilcox & Fetzer Robert Worthington Bruce Flora Douglas Loewer Mr. Trumper Mr. Knothe

CALL TO ORDER

Mr. Szymanski called the meeting to order at 8:40 a.m.

EXECUTIVE SESSION

There was no discussion for Executive Session.

RULE TO SHOW CAUSE HEARINGS

Robert Worthington (continuation from December 17, 2009 hearing) 8:30 am

The hearing began at 8:41 a.m. The court reporter took verbatim testimony. Mr. Worthington was sworn in by the court reporter. Mr. Schranck read Mr. Worthington's letter of Jan 28, 2010 into the record. Mr. Worthington gave opening statements. Mr. Schranck entered Mr. Worthington's documents as Worthington Exhibit 1 and distributed to the Board for review. Mr. Szymanski questioned Mr. Worthington. Mr. Worthington responded. Ms. Chvostal made a motion to go off the record to discuss documents. Mr. McDonough seconded the motion. The motion was unanimously approved. The Board went off the record at 8:50 a.m. for deliberations. The Board went back on the record at 9:09 a.m. for the Board to further question Mr. Worthington. Mr. Worthington gave testimony. Mr. Szczuka made a motion, seconded by Ms. Chvostal to go off the record. The Board began deliberations at 9:13 a.m.

Mr. McDonough made a motion, seconded by Ms. Chvostal. The motion was unanimously approved. The Board went back on the record at 9:20 a.m.

Mr. Szymanski made a motion that Mr. Worthington be found in violation of regulation10.1 due to a deficit amount of 4 PDHs, impose a \$250 fine, a letter of reprimand and allow 4 PDHs from the 2010 Pennsylvania conference to be used toward the 2007-2009 renewal and further permitting 17 PDHs of the conference to be used towards the 2009-2011 renewal. The motion was seconded by Mr. Szczuka. The motion was unanimously approved.

Ms. Chvostal made a motion to close the hearing at 9:22 a.m.

Bruce Flora (continuation from December 17, 2009 hearing) 9:00 am

The hearing began at 9:23 a.m. The court reporter took verbatim testimony. Mr. Flora was sworn in by the court reporter. Mr. Schranck reviewed the purpose of the hearing continuation. Mr. Schranck then read into the record, a letter received by "Miles & Stockbridge" by Mr. Demma, attorney regarding supporting claims of the seminar as it pertained to ethics. Mr. Schranck clarified the claim that Mr. Flora would wish to claim 1.6 PDHs for each course. Mr. Flora gave testimony. Mr. Szczuka made a motion, seconded by Ms. Chvostal to enter into deliberations. The motion was unanimously approved. The Board began deliberations at 9:36 a.m.

Ms. Chyostal made a motion, seconded by Mr. Szczuka to go back on the record at 9:39 a.m.

Mr. Szymanski made a motion to accept the additional information and determine Mr. Flora has met the requirements of the 2007-2009 renewal and the hearing was closed. Mr. Szczuka seconded the motion. The motion was unanimously approved.

The Board reordered the agenda to accommodate the schedule for Mr. Schranck. The Board moved to item 6.9 Board Order for Mr. Ahiarakwe.

REVIEW OF MINUTES

Mr. Szymanski stated the review of the minutes needed to be tabled due to unavailability for review. Mr. Schranck will investigate possible review and approval of minutes via electronic vote.

UNFINISHED BUSINESS

Review of draft Survey Intern application

Ms. Holt indicated no additional information was available at the time of the meeting. Ms. Holt stated she would research the status and report back to the Board.

<u>Rules and Regulations Revision – Rule 12.0 – Public Comments - Review of additional public</u> written comment and Final Vote

Mr. Szymanski read the written public comment from Mr. Douglas Loewer. Mr. Szymanski provided comments from Mr. Sellers who was unable to attend regarding 12.2.17 Major Subdivision Survey. Mr. Szymanski added language to address Mr. Sellers' comments. Mr. Szczuka inquired how the situation regarding Wilmington townhouses would be addressed. Revised Rule 12.8.3.5 addresses the question and provides clarification. Mr. Schranck provided counsel to the Board. Mr. Szczuka asked for clarification of date requirement. Mr. Bielicki inquired the origin of the clarification and change. Mr. Szymanski gave explanation. Mr. Schranck commented on correction to the sentence by adding "or" after the term "1980" in Rule 12.8.3.5. Mr. Bielicki addressed this issue with comments about having to have the corners set. Mr. Bielicki made his objection. Mr. Szczuka asked Mr. Bielicki if he felt the people down south were being treated unfairly. Mr. Bielicki stated he did feel that and cited Mr. Sellers comment regarding the attorneys cutting out the land surveyor. Mr. Szymanski questioned if Mr. Bielicki experienced this personally. Mr. Bielicki stated no.

Mr. Szymanski asked the Board to review individual changes for comment item by item. The Board reviewed and commented on each rule as outlined below:

Rule and Regulation	Comments
12.1, 12.2, 12.2.2, 12.2.17, 12.6, 12.6.1,	There was no objection to the language.
12.6.2, 12.6.7, 12.7.1, 12.7.2, 12.7.2.1,	
12.7.2.2, 12.7.2.4, 12.7.2.7, 12.8, 12.8.1,	
12.8.2.1, 12.8.2.2, 12.8.3.1, 12.8.3.2,	
12.8.3.3, 12.8.3.6, 12.8.4, 12.8.5, 12.8.5.1.2,	
12.9.1 – 12.9.2.3.7, 12.11.1 – 12.12,	
12.8.3.6, 12.8.4, 12.8.5 – 12.8.5.1.2, 12.9.1	
<i>–</i> 12.9.2.3.7, 12.11.1 <i>–</i> 12.12,	
12.2.12	Mr. Bielicki stated he didn't feel this item was
	necessary but wouldn't object. Ms. Chvostal

	stated she agreed with having the item and felt
	it was good protection for the public.
12.2.16	Mr. Bielicki stated he saw small issues with the
	item. Mr. Bielicki stated sometimes there may
	be small out-conveyances from a parcel where
	a boundary survey would not be required in
	order to prepare a new description. Mr.
	Szymanski stated that he disagreed with that
	statement. Mr. Bielicki stated he thought it
	should be left up to surveyor's discretion if a
	new boundary survey is needed to write a new
	description. Mr. Szczuka disagreed. Mr.
	Szczuka asked how that helped the public. Mr.
	Bielicki countered that the charge would be
	much more if a whole new survey had to be
	done to write a new description. Mr. Szymanski
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	and Mr. Bielicki discussed the possible revisions further. Mr. Bielicki had no other
10.7.0.0	changes.
12.7.2.3	Mr. Szymanski read each line of the form and
	Mr. Bielicki had no problems with statements up
	to item "Furthermore, I am aware" Mr.
	Bielicki stated it seems like a scare tactic to
	people. Mr. Szymanski requested questions
	from public members of the board. Ms.
	Chvostal stated she liked it and has had
	personal experience that would have been
	better if she had the form and statement in the
	form. Mr. McDonough asked if the statement
	were true. Mr. Szymanski stated yes. Mr.
	Szczuka commented he did not have a problem
	with it. Most people don't know. They leave it
	up to the professional to not tell them. If it were
	a surveyor's property, there would be more
	diligence. Cost is not a factor because it would
	cost more later. It's protection. Later on when
	you file the grievance, the attorney states they
	were never told there was a problem. This puts
	it out there. It's more of a protection. Ms.
	Chvostal feels language is fine. Mr. Szczuka
	feels it's fine. Mr. McDonough is fine. Mr.
	Bielicki commented he did not have as much
	problem with the statement with cost put on
	there. Mr. Szymanski stated it was taken out
	because the Board doesn't want cost to
	become a factor. Mr. Bielicki stated he could
	טטטטוווט מ ומטנטו. ואוו. טובווטגו אנמנבע ווב טטטוע

	see if someone had gone out and done a boundary survey and gets a large bill and the surveyor is cast in a bad light. In the interest of public disclosure, put it where they are going to check off the boxes. Mr. Bielicki will not object to "Furthermore" language with a statement added that there is a cost estimate for an MSP or full survey. Mr. McDonough suggested language stating costs could be different. Mr. Bielicki agreed that would be fine. Mr. Szymanski stated the Board would come back to it later. Further statements were not questioned. For clarification, the statement wouldn't be signed by the Land Surveyor until after Ultimate User signed the form.
12.7.2.6	Mr. Bielicki discussed question that it was determined it would be done as a result of complaintsMr. Schranck provided additional language"the licensee shall submit to the Board a waiverin connection with a complaint filed with respect to said property."
12.7.2.3	Mr. Schranck offered additional language for 12.7.2.3 for statement "I have been made aware that a Mortgage Survey Plan (MSP) is not a boundary survey, does not identify property boundary lines," and add" and the cost of a Boundary survey may differ from that charged for an MSP." Mr. Szczuka agreed.
12.8.3.5	Mr. Bielicki felt condos shouldn't need to be mentioned. Mr. Schranck stated he needed to check to see if there was something in a new law that implicates potential responsibility. Mr. Schranck advised to leave it in.

Mr. Szymanski commented on Mr. Sellers request made prior to the Board meeting to go back to a public hearing. Mr. McDonough does not feel it should go back out for a public hearing if it is agreed there are no substantial changes. Mr. Szymanski stated there are a significant number of changes from the first document published. Mr. Szymanski stated Mr. Sellers

addressed that a public hearing would give everyone who was not aware of the changes the opportunity to comment.

Mr. Szczuka suggested to change regular meeting to have the hearing. Ms. Holt will set a special hearing for rule changes.

Ms. Chvostal made a motion to table the vote and post notice for another public hearing. Mr. Szczuka seconded the motion. The motion was unanimously approved.

After further discussion, the Board recognized Mr. Rodger Trumper, Attorney for comment. Mr. Trumper provided documents to the Board. Mr. Trumper commented on changes for rule 12 regarding MIP. Mr. Trumper stated he feels MIP is a helpful tool from title standpoint. Mr. Trumper further explained the added requirement for identifying 2 corners does not add any value to the title standpoint. Mr. Trumper stated he didn't feel it is a widespread assumption that an MIP is a boundary survey. Mr. Trumper reviewed the document that he provided to the Board: Tab 1 is a standard letter to client notifying they can choose attorney. Page 2 of the letter has a paragraph that specifically states what an MIP includes and cost, and request the client choose an MIP or boundary survey. Mr. Trumper conducts seminars where this letter is offered to attendees of the seminars. Mr. Trumper did not feel the letter is the exception but universal as part of practice in DE for attorneys. He stated he did not feel the consumer is misled in what is gotten in an MIP. Mr. Trumper stated the attorney does not dictate what the client gets. There is a pushback from title industry to go the way of PA and take it as exceptions and throw title insurance at it and cover it. Mr. Trumper stated his concern that this will be more costly and difficult to obtain in a quicker manner. Mr. Trumper stated he felt the title company may change (their policy) when they require a survey for insurance; delay and cost gives more ammunition to title companies to allow to issue title insurance without survey. Mr. Schranck left the meeting at 11:07 a.m.

Mr. Szymanski asked Mr. Trumper for clarification. Mr. Trumper stated the possibility that title insurance companies will offer coverage over survey issues. Tab 2 is exceptions that require surveys and are willing to accept an MIP to remove the exception. Mr. Schranck returned at 11:08 am. Tab 3 indicated underwriting companies with requirements to remove exceptions. ALTA 9 endorsements are part of coverage for survey issues for encroachments, etc. First American states.......streamline process. Lenders don't request surveys anymore except for commercial transactions. Title companies leave it up to client to get a survey and issue enhanced owner's policy. Tab 4 shows title company authorizing agents to issue policy without getting survey. Mr. Trumper feels given a choice between getting a survey or not get survey, client will elect not to get survey due to heightened coverage. Suggests legislation to require a survey as opposed to a regulation would be stronger. Title industry is offering coverage as opposed to requiring survey. ALTA 9 does provide coverage for survey issues. Mr. Trumper's concern is that a client will elect not to obtain a vital product due to cost. The title industry is going to allow issuing of a policy and not requiring a survey.

Mr. Szczuka addressed Mr. Trumper to clarify exhibit 1 and asked if it is a new form or has it always been used. Mr. Trumper stated it is a new form due to the fact that it reflects current law. Mr. Szczuka asked if exhibit 3 was sent to "All Delaware Agents". Mr. Trumper stated Mr. Szczuka should ask First American why they feel its right to just offer coverage without a

survey. Mr. Trumper has a concern that additional changes will eliminate choice of product. MIP can be obtained relatively quickly at a reasonable cost.

Mr. Szczuka stated the purpose of the Board is to protect the public with cost not factored. Mr. Trumper provided information for the Board's consideration that the title companies are starting to practice. After further discussion, the Board thanked Mr. Trumper. The Board recessed at 11:49 a.m.

Mr. Schranck left the meeting at 12:13 p.m Mr. McDonough did not return to the meeting. The Board acknowledged Chuck Knothe, Attorney – NCC – Mr. Knothe testified he represented HUD and is aware of rules in NCC, Kent, and Sussex counties. Mr. Knothe gave comment regarding MIP and use. Mr. Knothe feels MIP has been useful and worthwhile product over the years and economically useful. Mr. Knothe has not had issues with difference between MIP and survey. Mr. Knothe stated he has had very few people come back to complain. Mr. Knothe asked why change – is there a need. Mr. Knothe stated he did not perceive the need for change. Mr. Knothe stated most of consumers are extremely cost conscious. They shop for attorneys, mortgages, insurance. Most people don't shop for surveyors. Mr. Knothe believed if there is increased effort to prepare a job, there is an increase in cost. There is a decrease in requirement of surveys. On refinances, no survey is being required. The economics are interesting. For a \$300,000 home, there are lender's policy, owner's policy, and an enhanced owner's policy. The difference between an owner's policy and enhanced policy is 20% with additional common endorsements that adds another \$200. \$1170 is the enhanced policy but does not require survey. Mr. Knothe stated he could tell you the average consumer is going to select enhanced policy with no survey. Mr. Knothe stated he agreed that enhancing survey is an attempt to improve what you are giving the consumer. The concern is that the title company is going to choose to not use it. They – the attorney's - get a commission on what the title premium is so they are going to scoff it up. Mr. Szczuka clarified that the title company is going to sock it to them (the consumer). Mr. Knothe states at the end of the day the consumer is going to get hurt. Mr. Szymanski asked if Mr. Knothe currently informs clients about the difference between an owner's policy and an enhanced policy. Mr. Knothe said no. Mr. Knothe stated he knows from practical experience that the cost is multiple times (3) the expense of a job in NCC as opposed to Kent and Sussex. He stated he believes that people who buy farms and commercial property understand what the value of a boundary survey is. They are educated purchasers and their lender requires it. What happens is the attorney gets a call from the client stating the lender doesn't require a survey, but the title company requires a survey. Mr. Knothe corrected he may not have had to pay so much as 3 times. Mr. Szymanski addressed Mr. Knothe and he clarified that triple the number is essentially HUD properties. Mr. Knothe has had a boundary survey in Sussex County at their beach house but had an MIP in New Castle because they have to pay for it. Once they've bought it, they've refinanced it have not had to have a survey. The title companies are taking the risk. If no one is taking surveys they don't have a problem. Mr. Szymanski thanked Mr. Knothe.

Mike Paraskewich, Sr. addressed the Board. Mr. Paraskewich, Sr. provided a letter to the Board. He stated it was beneficial there were several attorneys present. Mr. Paraskewich, Sr. practices in PA as well and stated that surveys are not required there. Hr stated that surveys are done occasionally but it is his experience that they are not. Mr. Paraskewich commented

to Ms. Chvostal regarding boundary conflicts. Boundary disputes do not go away when corners are set; they usually begin when they are set. Mr. Paraskewich stated he has had various experiences in boundary disputes. There has been discussion of prices and charging of fees, presented by the attorney's who do exceptional job, they are the agents and they sell the insurance to the consumer. So it doesn't bother them whether there are more surveys or not – they are going to make more money. Mr. Paraskewich further stated "what we do is review the deed and we disclose disputes – You might change the history of Delaware here. Setting corners don't make a quiet line of possession – based on my experience." The amount thrown out is not as small as the \$70 set out to perform the additional work. Mr. Szczuka questioned Mr. Paraskewich. Mr. Paraskewich addressed the definition of a radial stake out. Mr. Paraskewich stated "We don't have good permanent control to do the job." Mr. Paraskewich commented on his position against this change. Mr. Paraskewich read a letter from NFIB - The Voice of Small Business: National Federation of Independent Businesses. Mr. Paraskewich stated Ms. Valentino is on board with this.

Mr. Szymanski asked Mr. Paraskewich to clarify the major issue. Mr. Paraskewich confirmed the issue is having corners set. Mr. Szczuka asked if there were complaints from downstate.

Mr. Paraskewich stated Ms. Valentino informed him that from the consumer's point of view, she thinks it's unfair that downstate consumers don't get a choice.

Mr. Paraskewich stated that the consumer is unaware what they need. I know it's been the history downstate to require boundary surveys.

Mr. Szymanski asked Mr. Paraskewich if he sets the corners. Mr. Paraskewich stated he complied with the rules and regulations. Mr. Paraskewich thanked the Board for their time. Mr. Szczuka thanked Mr. Paraskewich.

NEW BUSINESS

Review for Continuing Education Approval

Andrew Putnam - *Professional Ethics & Licensing Board Actions* – Garden State Land Surveyors Alliance – 1/15/10 – requesting 8.0 hours. Mr. Szymanski reviewed the application. Mr. Szczuka made a motion to approve the course for 8.0 PDHs fulfilling the ethics requirement for renewal, seconded by Ms. Chvostal. The motion was unanimously approved.

The Board reviewed the applications submitted by Douglas Loewer for courses offered by Delaware Technical and Community College – Owens Campus listed below:

Intro to Global Positioning Systems for Land Surveyors – 2/9/10 – requesting 7.0 hours Utilizing Robotic & GPS Technology – 5/4/10 – requesting 7.0 hours Intro to Mapping & GIS for Land Surveyors using ARC VIEW – 2/23/10 – requesting 7.0 hours

Geographic Information Systems using ARC VIEW – 3/5/10 – 4/30/10 – requesting 48 hours

Ms. Chvostal made a motion to approve the courses for the hours requested, seconded by Mr. Szczuka. The motion was unanimously approved.

The Board reviewed the application for Delaware Association of Surveyors for the course *Ethical Business Practices* to be held on April 21, 2010 and requesting 2.0 PDHs. Mr. McDonough left the Board meeting during the recess and did not return. There was not a quorum of the Board to vote on this application. Mr. Szczuka made a motion to table the application, seconded by Ms. Chvostal. The motion was unanimously approved.

Review of Application for Licensure by Reciprocity

There were no applications to review.

Review of Licensure by Examination

Jeffrey (J.C.) Dodd – Mr. Szymanski reviewed the application and made a motion to approve him to take the exam for licensure, seconded by Ms. Chvostal. The motion was unanimously approved.

Terrence Blomquist – Mr. Szczuka made a motion to table the application pending of information provided in application, seconded by Ms. Chvostal. The motion was unanimously approved.

David Dworek – Ms. Chvostal made a motion to table clarification to criminal history question, seconded by Mr. Bielicki. The motion was unanimously approved.

Timothy Miller – Mr. Bielicki made a motion to table pending Deputy Attorney General review, seconded by Ms. Chvostal. The motion was unanimously approved.

There was a motion to amend the agenda to discuss 6.12 & 6.14 together by Ms. Chvostal, seconded by Mr. Bielicki. The motion was unanimously approved.

Review of Land Surveying Certificate of Authorization Applications –

Ms. Chvostal made a motion, seconded by Mr. Szczuka to approve the applications for Madison J. Bunting, Kercher Engineering, Inc., the Pelsa Company, Birdsall Service Group, and Nave Newell, Inc. The motion was unanimously approved.

Mr. Szczuka made a motion to table the application for ATCS, LLC for further review by the Deputy Attorney General, seconded by Ms. Chvostal. The motion was unanimously approved.

Complaint Assignments

Ms. Holt reported Complaint 05-01-10 would be forwarded to Mr. McBride.

Complaint Status

Ms. Holt reported that Complaint 05-06-09 was sent to the Attorney General's Office on January 28, 2010.

Hearings/Consent Agreements

Bruce R. McKenna	09:00 a.m.	March 18, 2010
Heath A. Dumack	11:00 a.m.	March 18, 2010
William Wichess	11:30 a.m.	March 18, 2010
Thomas Ertle	12:00 p.m.	March 18, 2010

Closed Complaints

There were no closed complaints.

Correspondence

NCEES Proposed Amendment to NCEES Bylaws – Mr. Szymanski read the correspondence to the Board.

Mr. Szymanski read Mr. Douglas Loewer's correspondence (one sent to Mr. Szymanski). Mr. Szymanski addressed the issue regarding his appointment. Mr. Schranck was notified and also the Division of Professional Regulation. Mr. Szymanski will make sure the issue is put on the agenda prior to December 30, 2011. Mr. Szymanski read the letter to Mr. Sellers regarding continuing education knowledge and notification.

The board recessed for a 5 minute break at 2:18 p.m. The meeting resumed at 2:21 pm.

Certificates

There were no certificates to sign.

Selection of Credentialing and Continuing Education Committees

Mr. Szymanski volunteered to review the continuing education. Mr. Bielicki volunteered to be on the credentialing committee. Mr. Szymanski suggested to table the item for a decision at the next meeting. Ms. Holt will contact the entire board.

Discussion of Certificate of Authorization process

Ms. Holt presented to the Board the process of Delegation of Authority. After discussion, Ms. Chvostal made a motion, seconded by Mr. Szczuka to discuss at the next meeting. The motion was unanimously approved.

After discussion of setting a deadline for compliance, Mr. Szymanski suggested there be a minimum of 90 days allowed after notification to comply. Mr. Szymanski inquired as to the length of time it would take for the notification to be sent out. Ms. Holt stated approximately 10 days after the address list is compiled. The board accepted the draft letter provided by Ms. Holt to be sent for notification.

Board Orders

The Board signed the order for Mr. Uzoma Ahiarakwe.

Other Business before the Board (for discussion only)

There was no other business.

Public Comment

Mr. Loewer was recognized by the Board. Mr. Loewer addressed the board regarding the structure of the PDH approved courses. Mr. Loewer addressed feeling personally attacked after last meeting's Public Comment session where he addressed the Board with a suggestion to have the course approval listing modeled after another Maryland entity. Mr. Loewer addressed the issue of lack of readily available information regarding PDH. Mr. Loewer expressed his concerns regarding the availability. Mr. Szczuka stated the issue is not with the Board but within the Division due to staffing or other issues. Mr. Loewer stated the concern is that 52 licensees were called on their continuing education requirements. Mr. Loewer stated as a professional, it is concerning that the information is not readily available when their livelihood is at stake. Mr. Loewer stated there are discrepancies with the 2009 approved courses. Mr. Szymanski stated he is not opposed to improvements. Mr. Loewer stated the review of a specific course was submitted three times and the third submission was approved for a lesser number of PDHs. Mr. Szymanski confirmed the course was in question and subsequently the issue was later resolved. Mr. Loewer expressed his concern and feels the Board is waiting for the licensee community to fail. Mr. Loewer expressed concern that half of the out of state licensees were called for a failed audit. Mr. Szymanski stated that contrary to Mr. Loewer's belief that that was one of the most uncomfortable situations he has ever been through. Mr. Loewer expressed concern that he feels the Board should be more proactive. Mr. Szymanski stated he agrees the Board should be more proactive. Mr. Szymanski agreed to sit with the Division to see what could be done. Mr. Loewer made a suggestion to put a line on the Continuing Education application notifying the applicant of a 10 day deadline. Mr. Szymanski confirmed that Mr. Loewer's issues were addressed and there was no need to further follow-up with him.

The Board recognized Mr. John Johnson of DAS. – Mr. Johnson stated he came up to clarify that members of the Board and DAS met with DelTech to put together a surveying program for the Board's approval. Mr. Johnson stated that DAS has seminars that have to be approved every year, and that the responsibility of DelTech is to come forth and have courses their courses approved.

Next Meeting

The next scheduled meeting of the Board is March 18, 2010 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware

Adjournment;

There being no further business for the Board, Mr. Szczuka made a motion, seconded by Mr. Bielicki to adjourn the meeting at 2:57 pm. The motion was unanimously approved.

Respectfully Submitted,

Rence M. Hold

Renee' M. Holt Administrative Specialist II